CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JANUARY 4, 2005

INVOCATION:
Rev. Gary Hanson of Bethel Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Mariscal led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino.

STAFF MEMBERS PRESENT:
City Manager Ness, Assistant City Manager Haydon, City Attorney Trujillo, Director of Public Works Karp, Police Chief Macagni, Community Development Director Lindsey, Fire Chief Ortiz, Director of Recreation and Parks Posada, Director of Administrative Services Snodgrass, Director of Utilities Chisam, and Chief Deputy City Clerk Perez.

RESOLUTION COMMENDING JOHN SABEDRA
Mayor Lavagnino read a resolution commending John Sabedra, Fire Engineer for the Santa Maria Fire Department, upon his retirement after more than twenty-seven years of outstanding service to the City.

Resolution No. 2005-01 was adopted on motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2005-01 adopted. A RESOLUTION COMMENDING SANTA MARIA FIRE ENGINEER JOHN H. SABEDRA FOR HIS 27 PLUS YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HIM ON HIS RETIREMENT.

Mayor Lavagnino presented the resolution to John Sabedra.

RESOLUTION COMMENDING RUDY ALFARO
Mayor Lavagnino read a resolution commending Rudy Alfaro, Fire Engineer for the Santa Maria Fire Department, upon his retirement after more than thirty years of outstanding service to the City.

Resolution No. 2005-02 was adopted on motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2005-02 adopted. A RESOLUTION COMMENDING SANTA MARIA FIRE ENGINEER RUDY ALFARO FOR HIS 30 PLUS YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HIM ON HIS RETIREMENT.

As Rudy Alfaro could not be present, the resolution was accepted by Fire Chief Frank Ortiz on his behalf.

PUBLIC COMMENT
Ernest Armenta spoke regarding the contract with the Chamber of Commerce for Economic Development Services, Item 3E on the Consent Calendar, and his concerns that the proposal review and interview process was not done in an open public meeting.

CONSENT CALENDAR
Items 3G, H and N were pulled for discussion.

Item 3G – Resolution Supporting Continued Operations at Vandenberg Air Force Base (VAFB).
Councilmember Trujillo commented on the need to work closely with VAFB and to support its continued operations because it is very important for the area and for the country. They supply a lot of jobs in the area.

Councilmember Orach stated VAFB was a valuable asset to the community and to the country, and anything the Council or City could do to keep it viable was essential.

Councilmember Patino stated on November 8, 2004, Governor Schwarzenegger appointed the California Council on Base Support and Retention to coordinate the State's response to protecting California's 62 military bases from closures being announced in May 2005 by the Department of Defense. VAFB is one of eight military installations that will be discussed by the Council at its January 12, 2004, public meeting in El Segundo. The Council feels very strongly about keeping VAFB whole.

Councilmember Mariscal commented that it was not just up to the City of Santa Maria to support VAFB. It needs the support of all the citizens and all the communities in the area. VAFB provides a substantial number of jobs to the community and is an integral part of the area's continued economy. He encouraged the citizens of the community to voice their support as well.

Item 3H – Revolving Loan Fund for Business Attraction and Retention.
Councilmember Mariscal said he could not express how excited he was about this program. He had suggested it some time ago, but it was tabled until the State budget was approved. The money for the program will come from sale of surplus water and will be used for business attraction and retention.

Councilmember Trujillo commented that this was the type of program the City needed to encourage businesses to come to Santa Maria.

Item 3N – Library Parking Structure.
City Manager Ness explained that the Council had received a revised resolution for this item. Staff had intended that the Council award the bid for this project. However, once the bids were reviewed, some irregularities were found. It was decided that the best course of action was to reject all bids and readvertise the project. The revised resolution authorizes staff to readvertise the project.

Mayor Lavagnino asked how much time would be lost by readvertising.

City Manager Ness explained that there would be about a 30-day delay.

Consent Calendar Items A through R were accepted and approved with the indicated action on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar will be adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of December 21, 2004, were approved as submitted.

C. CITY COUNCIL POLICY
City Council Policy 2005-01 was adopted establishing rules of decorum for Council meetings.

D. ORDINANCE NO. 2004-22
Second reading of Ordinance No. 2004-22, amending Section 3-9.04 of the Municipal Code regarding the reallocation of transient occupancy tax revenue was conducted and the ordinance was adopted.

Ordinance No. 2004-22 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA AMENDING CHAPTER 3-9 OF THE SANTA MARIA MUNICIPAL CODE REGARDING THE DISTRIBUTION OF TRANSIENT OCCUPANCY TAX.

E. AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES
Resolution No. 2005-03 was adopted approving a three-year agreement with the Santa Maria Valley Chamber of Commerce for economic development services.

Resolution No. 2005-03 adopted. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A THREE-YEAR AGREEMENT WITH THE SANTA MARIA VALLEY CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT SERVICES.

F. WAGE AND BENEFIT PACKAGE
Resolution No. 2005-04 was adopted approving a Wage and Benefit Package for the non-represented full-time management and confidential employees.

Resolution No. 2005-04 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A WAGE AND BENEFIT PACKAGE FOR THE NON-REPRESENTED FULL-TIME MANAGEMENT AND CONFIDENTIAL EMPLOYEES.

G. VANDENBERG AIR FORCE BASE
Resolution No. 2005-05 was adopted supporting continued operations at Vandenberg Air Force Base.

Resolution No. 2005-05 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA SUPPORTING THE CONTINUED FULL OPERATION AND RETENTION OF VANDENBERG AIR FORCE BASE.

H. REVOLVING LOAN FUND
Resolution No. 2005-06 was adopted authorizing staff to create a revolving loan fund for a Business Attraction and Retention program and to develop and bring back specific guidelines and criteria for the fund for Council approval at a later date.

Resolution No. 2005-06 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO CREATE A REVOLVING LOAN FUND FOR A BUSINESS ATTRACTION AND

RETENTION PROGRAM AND TO DEVELOP SPECIFIC GUIDELINES AND CRITERIA FOR THE FUND TO BE APPROVED BY THE COUNCIL AT A LATER DATE.

I. NORTH PREISKER RANCH, TRACT 5764, PHASES 1-4
Council accepted as complete the public improvements and authorized the release of the following bonds posted in connection with North Preisker Ranch, Tract 5764, Phases 1-4:

Faithful Performance Bond for Phase 1, Units 2 and 3, in the amount of $119,447 for the installation of public landscaping and irrigation.

Faithful Performance Bond for Phase 2 in the amount of $336,892 for the installation of public landscaping and irrigation.

Faithful Performance Bond for Phase 3, Unit 1, in the amount of $112,214 for the installation of public landscaping and irrigation.

Faithful Performance Bond for Phase 4 in the amount of $288,747 for the installation of public landscaping and irrigation.

J. CROSSROADS COTTAGES II, TRACT 5813
Council accepted as complete the public improvements and authorized the release of the following bonds posted in connection with Crossroads Cottages II, Tract 5813:

Faithful Performance Bond in the amount of $150,000 for the construction and installation of public improvements.

Faithful Performance Bond in the amount of $105,840 for the construction and installation of boundary walls.

Faithful Performance Bond in the amount of $36,884 for the installation of public landscaping and irrigation.

K. WARRANTS
Warrant Nos. 117256 to 117518 in the amount of $1,200,129.88 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 117164, 117232, 117243, 117119, and 117264 were cancelled.

L. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

M. ORDINANCE NO. 2004-21
Second reading of Ordinance No. 2004-21 was conducted adopting Building Standards of the California Building Commission, and the ordinance was adopted.

Ordinance No. 2004-21 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING BUILDING STANDARDS OF THE CALIFORNIA BUILDING STANDARDS COMMISSION REGARDING THE CALIFORNIA BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2, REVISED 9/7/2004.

N. LIBRARY PARKING STRUCTURE
Resolution No. 2005-07 was adopted rejecting all bids received and authorizing the Call for Bids (re-advertisement) on the plans and specifications for the Library Parking Structure, Bid No. 2005/03.

Resolution No. 2005-07 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REJECTING ALL BIDS FOR LIBRARY PARKING STRUCTURE, BID NO. 2005/03.

O. NOTICE OF COMPLETION
A Notice of Contract Completion for Street and Storm Drain, Bid No. 2003/02 was approved.

P. NOTICE OF COMPLETION
A Notice of Contract Completion for Street Maintenance (Chip Seal) 2004, Bid No. 2004/14 was approved.

Q. BOULEVARD STOP
Resolution No. 2005-08 was adopted approving the establishment of a Boulevard Stop at the intersection of Superior Street and Liberty Street.

Resolution No. 2005-08 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING A BOULEVARD STOP AT SUPERIOR STREET AND LIBERTY STREET PURSUANT TO SECTION 7-5.20 OF THE SANTA MARIA MUNICIPAL CODE.

R. WATER RECYCLING FACILITIES PLANNING AND CONSTRUCTION GRANT
Resolution No. 2005-09 was adopted approving the submission of a Water Recycling Facilities Planning and Construction Grant applications and authorizing the Director of Utilities to sign and file a Financial Assistance Application for the Wastewater Percolation/Recycling Project planning and construction.

Resolution No. 2005-09 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE WASTEWATER RECYCLING FACILITIES PLANNING AND CONSTRUCTION GRANT APPLICATIONS AND AUTHORIZING THE DIRECTOR OF UTILITIES TO EXECUTE ALL DOCUMENTS, INCLUDING FINANCIAL ASSISTANCE APPLICATIONS.

NOMINATION AND ELECTION OF MAYOR PRO TEM.
City Manager Ness gave the staff report. Historically, the assignment of Mayor Pro Tem has been periodically rotated amongst Councilmembers. There are no formal rules, policies or procedures as to how the selection of the Mayor Pro Tem is made. The Municipal Code is silent in this regard. The duties of the Mayor Pro Tem include acting on behalf of the Mayor in the Mayor's absence. The Mayor Pro Tem presides at City Council meetings when the Mayor is absent. The Mayor Pro Tem fills in for the Mayor at various community functions and meetings when the Mayor is unavailable. New appointments typically begin with the new calendar year. On December 21, 1999, the City Council considered and approved a change to the informal practice previously used to appoint the Mayor Pro Tem. The Council modified the practice to allow the appointment to occur on a yearly basis instead of a term concurrent with the term of the Mayor.

Mayor Lavagnino nominated Councilmember Mariscal to serve as Mayor Pro Tem.

On motion by Mayor Lavagnino, second by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Councilmember Mariscal was selected as Mayor Pro Tem for calendar year 2005.

Mayor Lavagnino thanked Councilmember Patino for serving as Mayor Pro Tem during 2004 and for representing him when he was not available.

Ernest Armenta protested the appointment of Councilmember Mariscal and recommended that Councilmember Orach be appointed.

APPOINTMENTS TO VARIOUS CITY BOARDS, COMMISSIONS AND COMMITTEES.
Chief Deputy City Clerk Perez gave the staff report. The City Council will make five appointments to the All-America City Committee, three appointments to the Code

Compliance Board, one appointment to the Landmark Committee, three appointments to the Planning Commission, and three appointments to the Recreation and Parks Commission. The only applications received were from the incumbents on each of these Advisory Bodies. The staff report in the Council's packet indicates which Councilmembers may nominate representatives to serve.

Ernest Armenta commented that he had nothing against the incumbents being reappointed but felt the City should advertise these vacancies, especially the Code Compliance Board, in a Spanish language newspaper to encourage members of the Hispanic community to apply.

All-America City
Mayor Lavagnino nominated the following incumbents of the All-America City Committee for reappointment:

Ignacio Andrade
Robert Huber
Miranda Lahr

Judy Markline
Laura Mohajer

On motion by Mayor Lavagnino, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

All incumbents were reappointed.

Code Compliance Board
Mayor Lavagnino nominated the following incumbents of the Code Compliance Board for reappointment:

David Cleveland
Ronald Ferrari
Nancy Stewart

On motion by Mayor Lavagnino, seconded by Councilmember Mariscal, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

All incumbents were reappointed.

Landmark Committee
Mayor Lavagnino nominated Eleanor Brower for reappointment to the Landmark Committee.

On motion by Mayor Lavagnino, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Eleanor Brower was reappointed.

Planning Commission
Trent Benedetti was nominated by Councilmember Orach. Rodger Brown was nominated by Mayor Lavagnino. Lawnae Hunter was nominated by Councilmember Trujillo.

On motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

All incumbents were reappointed.

Recreation and Parks Commission
Sister Janet Corcoran was nominated by Councilmember Trujillo. Rod Rodenberger was nominated by Mayor Lavagnino. Kirk Spry was nominated by Councilmember Orach.

On motion by Mayor Lavagnino, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

All incumbents were reappointed.

APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES WHICH REQUIRE CITY COUNCIL REPRESENTATION.
City Manager Ness gave the staff report. There are nine boards, commissions or committees for which City Council members sit as representatives of the City of Santa Maria. The nine assignments include: Santa Barbara County Association of Governments (SBCAG); Santa Barbara County Air Pollution Control District (APCD); Association of Water Agencies of Santa Barbara County (AWA); Central Coast Water Authority (CCWA); Multi-jurisdictional Solid Waste Task Group (MJSWTG); Investment Oversight Committee (IOC); All-America City Committee (AACC); County Housing Advisory Committee (HAC); and County Economic Vitality Committee (EVC). Mayor Lavagnino has requested that all Councilmembers retain their current assignments.

Mayor Lavagnino made the following nominations:

SB County Association of Governments	Councilmember Mariscal
SB County Air Pollution Control District	Councilmember Mariscal
Association of Water Agencies	Councilmember Trujillo
Central Coast Water Authority	Councilmember Trujillo
Multi-jurisdictional Solid Waste Task Group	Mayor Lavagnino/Patino
Investment Oversight Committee	Councilmember Orach
All-America City Committee	Councilmember Orach
County Housing Advisory Committee	Councilmember Patino
County Economic Vitality Committee	Councilmember Patino

Councilmember Patino requested that the appointment to the County Housing Advisory Committee be continued to the next meeting.

On motion by Mayor Lavagnino, seconded by Councilmember Mariscal, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

All current assignments were continued for another year except the County Housing Advisory Committee which was continued to the next meeting.

STREET NAME CHANGE

Director of Public Works Karp gave the staff report. The City Council is requested to adopt a resolution approving a Certificate of Correction to change a street name in the Bradley Square Subdivision from Leahy Park to Heredia Lane to honor Marine Corporal Joseph Heredia, a local resident and fallen military serviceman. Corporal Heredia, during his second tour of duty, was recently killed in combat in Iraq.

Mayor Lavagnino commented that if you looked around the City of Santa Maria, you would see names that go back 100 years when Santa Maria was founded like Fesler, Stowell, and Cook. This is a way for the City to honor Corporal Heredia who gave the last full measure of devotion for his country and his City. It is something that will be permanent, and his name will go down in the history of Santa Maria in perpetuity. Santa Maria is truly proud of Corporal Heredia.

Natalia Heredia, wife of Corporal Joseph Heredia, stated there were no words to express how honored the family was to have the City Council consider changing a street name to Heredia Lane and to know that the community recognizes that the issue at hand overseas is bigger that what we believe. She thanked the Council for honoring her husband.

Councilmember Trujillo thanked Mrs. Heredia for the sacrifice she had made. As a Vietnam Veteran and a Navy Captain, it pained him to see this and his heart was with her.

Councilmember Orach stated the street runs the length of Rotary Centennial Park. The Rotary Clubs are raising a lot of money to make that park beautiful. People will enjoy the park and have an opportunity to pay homage to Corporal Heredia.

Councilmember Mariscal thanked Mrs. Heredia for being at the meeting. Earlier in the meeting the Council had joked a little amongst themselves; and without the sacrifices of young men and women fighting for the freedoms we enjoy, the Council would not be able to do that. This is more than a right thing to do, it is a duty that the City owes to Corporal Heredia just like the duty he gave for his country.

Monica Diaz, mother of Corporal Heredia, thanked the Council for recognizing and honoring her son in a very special and unique way. The loss to their family has been very difficult and changed their lives forever. The support they have received from their community and across the nation, has given them strength in their time of grief. Having a street named after her son acknowledges the pride the community has for her son in serving his country. She asked that the Council continue to support and pray for those serving their country and the families of the fallen soldiers.

Resolution No. 2005-10 was adopted on motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2005-10 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A PROPOSED STREET NAME CHANGE FROM LEAHY PARK TO HEREDIA LANE IN THE BRADLEY SQUARE SUBDIVISION, TRACT 5782, PHASES 5, 8 AND 9.

Mayor Lavagnino displayed the street name sign that would be installed on Heredia Lane.

REPORT BY CITY MANAGER
City Manager Ness reported on items for the January 18, 2005, City Council meeting including annual technical amendments to the Municipal Code, and, possibly, a resolution establishing an electric utility.

ORAL REPORTS OF COUNCILMEMBERS
Councilmember Orach announced an upcoming event as part of the City's Centennial Celebration, a Multi-Cultural Faire, to be held on January 30, 2005, at the Town Center East Mall from 12:00 to 4:00 p.m. There is going to be a number of multi-cultural entertainment, ethnic food, and representation from all the ethnic groups that are part of our community.

Mayor Lavagnino announced a retirement dinner for Judge Barbara Beck on Saturday, January 15th at the Santa Maria Elks Lodge.

Councilmember Patino reported on the Board of Supervisors Meeting on January 4th. Salud Carbajal was sworn in as the new 1st District Supervisor; Brooks Firestone, as the new 3rd District Supervisor; and Joni Gray was seated again as 4th District Supervisor. Also, the new Superior Court Judge Jim Rigali took the oath of office.

CLOSED SESSION
The City Council adjourned to Closed Session at 7:15 p.m. for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria and Conference with Labor Negotiator pursuant to Government Code Section 54957.6, Agency representative: Assistant City Manager, Employee organization: Santa Maria Firefighters Union, Local 2020.

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report. No reportable action.

Conference with Labor Negotiator re: Santa Maria Firefighters Union, Local 2020 – Direction to staff.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:10 p.m. by order of Mayor Lavagnino.

APPROVED January 18, 2005
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST
Chief Deputy City Clerk

Mayor of the City of Santa Maria